

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Attn: FOIA/PA Appeals Office
P.O. Box 648916
Lee's Summit, MO 64064-8916



U.S. Citizenship
and Immigration
Services

APP2023000294

February 6, 2023

Charles Kuck
Kuck Baxter LLC
365 Northridge Rd., Suite 300
Atlanta, GA 30350

Dear Charles Kuck:

Re: COW2022005817

Thank you for your letter of January 18, 2023, concerning Freedom of Information Act ("FOIA") request number COW2022005817, in which you note that USCIS not yet responded to your FOIA request.

Your FOIA request is not subject to administrative appeal at this time since no specific material has been denied in response to the request. The FOIA, at 5 U.S.C. § 552(a)(6)(C), provides that a requester shall be deemed to have exhausted his or her administrative remedies if an agency fails to respond within the applicable time limit specified in the paragraph, which is twenty days (with certain exceptions).

This provision does not provide a basis for an administrative appeal of a request that is still being processed. Moreover, the lack of a substantive response to date is not the same as a response indicating that no documents were found.

I have confirmed that your request is being processed. USCIS receives more than 150,000 FOIA and Privacy Act requests every year, more than any other U.S. government agency. USCIS FOIA personnel consider your request important and have no intention of delaying it. USCIS will process your request as soon as possible, but in the order it was received, as established by law. I have sent a copy of your letter to the National Records Center for their information. You may check the status of your request at any time online at <https://first.uscis.gov/#/check-status>.

Sincerely,

Quan K. Luong, Office of Chief Counsel
U.S. Citizenship and Immigration Services

[← Back](#)

Control Number: COW2022005817

FOIA/PA STATUS
CHECK

DOCUMENT LIBRARY

Request Details

Request Description	The number of new (first time) H-1B petitions filed in FY 2022 after the employer was notified of their lottery selection in the FY 2022 lottery,
Date Submitted	11/15/2022
Request Type	FOIA Request

Request Status

Place in Queue	157 of 185 pending requests
Status	Files Received
Estimated Completion Date	

Note: This is an estimated date based on average processing times. Availability of records and complexity of request may effect completion date.

- 1** Request Submitted
Your request has been received by USCIS.
- 2** Files Requested
Your request has been reviewed and the National Records Center has placed a request for responsive documents.
- 3** Files Received
Your responsive documents have arrived at the National Records Center.
- 4** Case in Process
The National Records Center is processing your responsive documents.
- 5** Completed
Your requested documents are available in your own portal unless you selected an alternative delivery method.

USCIS FOIA/PA Headquarters Office

USCIS Contact Center

1-800-375-5283 or TTY 800-767-1833

FOIAPAQuestions@uscis.dhs.gov